

MICHAEL J. REISER (133621)
Law Office of Michael J. Reiser
961 Ygnacio Valley Drive
Walnut Creek, California 94596
Telephone Number: (925) 256-0400
Facsimile Number: (925) 476-0304

Attorneys for Plaintiffs MARLO
CUSTODIO and MARILOU CUSTODIO .

~~FILED FOR FILING~~

UNITED STATES DISTRICT COURT
COUNTY OF SANTA CLARA
SAN JOSE DIVISION

MARLO CUSTODIO, ROMEL CUSTODIO,
MARILOU CUSTODIO, and OSCAR "O.J."
CUSTODIO, JR.,

Plaintiffs,

v.

THE COUNTY OF SANTA CLARA,
CALIFORNIA, CITY OF SAN JOSE, CHIEF
ROBERT DAVIS, SGT. EVANS, OFFICERS
EPP, OFFICER MORASCI, OFFICER
TRAN, OFFICER UNGER, OFFICER
DEMARIA, OFFICER JEFFREY, OFFICER
CRAWLEY, OFFICER PURNELL,
OFFICER CAHILL, and DOES 1-50,
inclusive,

Defendants.

Case Number: C09-00527 RMW

**STIPULATION and ~~PROPOSED~~
ORDER RE: DISMISSAL WITH
PREJUDICE OF CASE**

PLAINTIFF MARLO CUSTODIO by and through his attorneys of record in the above-entitled action and pursuant to FRCP 41 (a)(1)(A)(ii) agree to dismiss his entire case against all defendants with prejudice. The parties further stipulate to bear their own attorney's fees, costs and expenses.

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Respectfully submitted,

Dated: May 3, 2012

LAW OFFICE OF MICHAEL REISER

By: /s/ Michael Reiser
Michael J. Reiser
Attorneys for Plaintiffs MARLO
CUSTODIO

Dated: May 3, 2012

CITY OF SAN JOSE

By: /s/ Richard North
Attorneys for Defendants

ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:

I attest that concurrence in the filing of this document by the signatories, Richard D. North and Michael Reiser, has been obtained, and that a record of the concurrence shall be maintained at the Law Office of Michael Reiser.

Dated: May 3, 2012

By


Michael Reiser

The Court having considered the stipulation of the parties, and good cause appearing therefor, orders as follows:

1. The action is dismissed with prejudice as against all Defendants pursuant to FRCP 41(a)(1)(A).
2. Each party shall bear their own costs and attorneys' fees.

IT IS SO ORDERED.

Dated: JED: BFG


Honorable Ronald M. Whyte

Senior District Judge
Northern District of California